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Theodore P. Cummings, Esq. 40,973  
Name of Attorney Registration No.

Signature of Attorney



P&G Case 8363M

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of

Mary Carmen Gasco, et al.

Serial No. 10/010,818

Filed December 6, 2001

:  
: Confirmation No. 7279  
: Group Art Unit 3727  
: Examiner S. J. Castellano

For A SHAPED CONTAINER BOTTOM

NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

**RECEIVED**

JAN 15 2004

TECHNOLOGY CENTER R3700

Dear Sir:

Applicant hereby appeals under 37 CFR 1.191(a) to the Board of Appeals and Interferences from the last decision of the Examiner dated November 18, 2002 finally rejecting Claims 1 and 3 - 20. The fee for this Notice of Appeal is \$330.00 (37 CFR 1.17(b)).

A timely response to the final rejection has been filed.

The Director is hereby authorized to charge the above fees, or any additional fees that may be required, or credit any overpayment to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. An additional copy of this Notice is enclosed for that purpose.

Respectfully submitted,

By

Theodore P. Cummings, Esq.  
Attorney or Agent for Applicant(s)  
Registration No. 40,973  
(513) 634-1906

Date: January 8, 2004

Customer No. 27752  
(appnot.doc) (Last Revised 10/10/2003)

01/13/2004 EFLDRES 00000147 162480 10010818

01 FC:1401 330.00 DA

**FEE TRANSMITTAL  
for FY 2004**

Patent fees are subject to annual revision.

**Complete if Known**

Application Number	10/010,818
Confirmation Number	7279
Filing Date	December 6, 2001
First Named Inventor	Mary Carmen Gasco, et al
Examiner Name	S.J. Castellano
Art Unit	3727
Attorney Docket No.	8363M

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 JAN 15 2004  
 TECHNOLOGY CENTER R3740

**TOTAL AMOUNT OF PAYMENT (\$)**330.00**METHOD OF PAYMENT**

1. ☒ The Director is hereby authorized to charge indicated fees submitted on this form, credit any over payments, and charge any additional fee(s) during the pendency of this application to:

Deposit Account Number: **16-2480**Deposit Account Name: **The Procter & Gamble Company****FEE CALCULATION****1. BASIC FILING FEE – Large Entity**

Code (\$)	Fee Description	Fee Paid
1001 770	Utility filing fee	<input type="checkbox"/>
1002 340	Design filing fee	<input type="checkbox"/>
1004 770	Reissue filing fee	<input type="checkbox"/>
1005 160	Provisional filing fee	<input type="checkbox"/>

**SUBTOTAL (1) (\$)**☐**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE – Large Entity**

	Extra Claims	Fee from Below	Fee Paid
Total Claims <input type="checkbox"/> - 20** =	<input type="checkbox"/> x	<input type="checkbox"/> =	<input type="checkbox"/>
Independent Claims <input type="checkbox"/> - 3** =	<input type="checkbox"/> x	<input type="checkbox"/> =	<input type="checkbox"/>
Multiple Dependent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\*\* or number previously paid, if greater; For Reissues, see below

Code (\$)	Fee Description
1202 18	Claims in excess of 20
1201 86	Independent claims in excess of 3
1203 290	Multiple dependent claim, if not paid
1204 86	**Reissue independent claims over original patent
1205 18	**Reissue claims in excess of 20 & over original patent

**SUBTOTAL (2) (\$)**☐**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Code (\$)	Fee Description	Fee Paid
1051 130	Surcharge-late filing fee or oath	<input type="checkbox"/>
1052 50	Surcharge-late provisional filing fee or cover sheet	<input type="checkbox"/>
1053 130	Non-English specification	<input type="checkbox"/>
1812 2,520	For filing a request for <i>ex parte</i> reexamination	<input type="checkbox"/>
1804 920*	Requesting publication of SIR prior to Examiner's action	<input type="checkbox"/>
1805 1,840*	Requesting publication of SIR after Examiner's action	<input type="checkbox"/>
1251 110	Extension for reply within 1 <sup>st</sup> month	<input type="checkbox"/>
1252 420	Extension for reply within 2 <sup>nd</sup> month	<input type="checkbox"/>
1253 950	Extension for reply within 3 <sup>rd</sup> month	<input type="checkbox"/>
1254 1,480	Extension for reply within 4 <sup>th</sup> month	<input type="checkbox"/>
1255 2,010	Extension for reply within 5 <sup>th</sup> month	<input type="checkbox"/>
1401 330	Notice of Appeal	<input checked="" type="checkbox"/>
1402 330	Filing a brief in support of an appeal	<input type="checkbox"/>
1403 290	Request for oral hearing	<input type="checkbox"/>
1451 1,510	Petition to institute a public use proceeding	<input type="checkbox"/>
1452 110	Petition to revive - unavoidable	<input type="checkbox"/>
1453 1,330	Petition to revive - unintentional	<input type="checkbox"/>
1501 1,330	Utility issue fee (or reissue)	<input type="checkbox"/>
1502 480	Design issue fee	<input type="checkbox"/>
1460 130	Petitions to the Commissioner	<input type="checkbox"/>
1807 50	Processing fee under 37 C.F.R. 1.17(q)	<input type="checkbox"/>
1806 180	Submission of Information Disclosure Statement	<input type="checkbox"/>
1809 770	Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="checkbox"/>
1810 770	For each additional invention to be examined (37 CFR § 1.129(b))	<input type="checkbox"/>
1801 770	Request for Continued Examination (RCE)	<input type="checkbox"/>
1802 900	Request for expedited examination of a design application	<input type="checkbox"/>
1454 1330	Acceptance of unintentionally delayed claim for priority under 35 U.S.C. 119, 120, 121, or 365 (a) or (c)	<input type="checkbox"/>
	Other fee (specify) _____	<input type="checkbox"/>
	Other fee (specify) _____	<input type="checkbox"/>

\* Reduced by Basic Filing Fee Paid **SUBTOTAL (3) (\$)**330**SUBMITTED BY**

Name (Print/Type)	<b>Theodore P. Cummings</b>	Registration No.	<b>40,973</b>	Complete (if applicable)
Signature		(Attorney/Agent)		Telephone (513) 634-1906
				Date 1/8/2004

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.